

1991 No. 305**ANIMALS****The Zoonoses Order (Northern Ireland) 1991**

Made 10th July 1991

Coming into operation 12th August 1991

The Department of Agriculture in exercise of the powers conferred on it by Articles 2(3), 5(1), 7(1) to (3), 12(1), 14, 19(h) and (i) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Zoonoses Order (Northern Ireland) 1991 and shall come into operation on 12th August 1991.

Extension of definitions of "animals" and "poultry"

2. For the purposes of the 1981 Order in its application to the presence in animals or poultry of designated organisms—

- (a) the definition of "animals" in Part I of Schedule 1 to the 1981 Order is hereby extended so as to comprise—
- (i) any kind of mammal except man;
 - (ii) any kind of four-footed beast which is not a mammal; and
 - (iii) snakes;
- (b) the definition of "poultry" in Part II of Schedule 1 to the 1981 Order is hereby extended so as to comprise birds of every species; and "bird" shall be construed accordingly.

Interpretation

3. In this Order—

"approved disinfectant" means a disinfectant approved for the time being by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(b);

"carcase" means the carcase of an animal or bird and includes part of a carcase and the meat, bones, hide, skin, hair, feathers, hooves, horns, offal or other part of an animal or bird, separately or otherwise, or any portion of it;

"designated organism" means an organism designated by Article 4 for the purposes of Article 7 of the 1981 Order;

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17

(b) S.R. & O. (N.I.) 1972 No. 16 as amended by S.R. 1975 No. 69

- “feeding stuff” means any feeding stuff, whatever its derivation, and includes any ingredient used in the preparation of a feeding stuff;
- “infected place” means any place declared in accordance with Article 6 to be infected by the presence of a designated organism;
- “the 1981 Order” means the Diseases of Animals (Northern Ireland) Order 1981; and
- “product” means milk, eggs, wool, meat, offal, dung or other substance directly derived from an animal or from any bird, whether mixed with any other substance or not, and includes used bedding litter.

Designation of organisms for the purposes of Article 7 of the 1981 Order

4.—(1) The following organisms, being organisms which, when carried in animals or poultry, constitute in the opinion of the Department a risk to human health, are hereby designated for the purposes of Article 7 of the 1981 Order, that is to say—

- (a) organisms of the genus salmonella;
- (b) organisms of the species *Chlamydia psittaci*; and
- (c) organisms of the species *Coxiella burnetti*.

(2) The provisions of the 1981 Order listed in Schedule 1 shall apply in relation to the presence of a designated organism in an animal or in any bird as if the presence of the organism were a disease to which that Order applies.

Inspections, taking samples etc.

5.—(1) Where, in accordance with the provisions of Article 46 of the 1981 Order, an inspector has entered any land, building, shed, pen or place, he may—

- (a) carry out such enquiries, examinations and tests; and
- (b) take such number of birds and such other samples

as are necessary to ascertain whether any designated organism exists or has existed there.

(2) An inspector may, for the purposes of identification, mark any animal, poultry, carcase, product or feeding stuff or other thing in relation to which any of the powers under paragraph (1) has been exercised.

Infected places

6.—(1) Where a veterinary inspector knows or reasonably suspects that there is or has been at any place, any animal, bird, or feeding stuff in which a designated organism is or was present or the carcase of such an animal or bird or a product derived from such an animal or bird, he may serve a notice on the occupier of the premises declaring them to be an infected place.

(2) A veterinary inspector may, by the same notice as is referred to in paragraph (1) or by a further notice served in the like manner—

- (a) prohibit the movement of any animal, bird, carcase, product or feeding stuff into or out of the infected place except under the authority and in accordance with the conditions of a licence issued by a veterinary inspector;

- (b) prohibit the movement out of the infected place of any equipment, utensil, appliance, vehicle or other thing except under the authority and in accordance with the conditions of a licence issued by a veterinary inspector;
- (c) require any animal, bird, carcase, product or feeding stuff specified in the notice to be detained in such part of the infected place as may be so specified, except to be moved out of the infected place in accordance with paragraph (a); and
- (d) require any animal, bird, carcase, product or feeding stuff specified in the notice to be isolated from any other animal, bird, carcase, product or feeding stuff or from human beings (other than those persons whose presence is necessary for the purposes of providing care and attention for them), as the case may be.

Cleansing and disinfection

7.—(1) An inspector may, by notice in writing served on the owner or occupier of an infected place—

- (a) require him to cleanse and disinfect with an approved disinfectant—
 - (i) that place or such part of it as may be specified in the notice; and
 - (ii) any receptacle or vehicle used for the confinement or removal of animals or poultry or the removal of any carcase, product or feeding stuff from that place; and
- (b) require any person being on an infected place to—
 - (i) wear both overall clothing and boots which are capable of being cleansed and disinfected; and
 - (ii) cleanse and disinfect with an approved disinfectant such clothing and boots and any equipment, utensil, appliance or other thing used in connection with animals, poultry, carcasses, products or feeding stuff therein

at such time and in such manner as may be specified in the notice.

(2) An inspector may, by notice in writing served on the occupier of any premises (other than an infected place) in which there is any animal, bird, carcase, product or feeding stuff in which a designated organism is known or reasonably suspected by him to be or to have been present—

- (a) require him to cleanse and disinfect with an approved disinfectant the lairage of any animals and any yards, stables and other places used for animals and poultry or for the keeping of any carcase, product or feeding stuff on those premises; and
- (b) require any person being in such lairage, yards, stables or other places to—
 - (i) wear both overall clothing and boots which are capable of being cleansed and disinfected; and
 - (ii) cleanse and disinfect with an approved disinfectant such clothing and boots and any equipment, utensil, appliance or other thing used in connection with animals, poultry, carcasses, products or feeding stuff therein,

at such time and in such manner as may be specified in the notice.

Cleansing and disinfection of vehicles

8. An inspector may, by notice in writing served on the owner or person in charge of any vehicle (other than a vehicle to which Article 7(1)(a)(ii) refers) which is used for the carriage of any animal or bird or any carcase, product or feeding stuff in which a designated organism is known or reasonably suspected by him to have been present, require him in such manner and within such period as may be specified in the notice, to cleanse and disinfect with an approved disinfectant that vehicle and any equipment, utensil, appliance or other thing used in connection with that carriage.

Revocation and variation of notices

9.—(1) A notice served under Articles 6 to 8 may at any time be revoked or varied by a further notice served by a veterinary inspector on the person on whom it was served.

(2) Any notice which may be served or licence which may be issued under Article 6 by a veterinary inspector may also be served or issued, as the case may be, by an inspector, or other officer of the Department, acting under the direction of a veterinary inspector.

Reporting of presence of designated organisms

10.—(1) Subject to paragraphs (3) and (4), where the presence of a designated organism in a sample taken from an animal or bird or its surroundings, or from any carcase, product or feeding stuff, is identified by a laboratory examination or by a serological or other examination carried out elsewhere than at a laboratory, the person in charge of the laboratory or, in the case of an examination carried out elsewhere than at a laboratory, the person carrying out such examination shall forthwith make to a veterinary inspector a written or oral report containing the particulars specified in Schedule 2.

(2) A person who is under an obligation to make a report under paragraph (1) shall—

- (a) if so required by the Department, supply the Department with a culture of the designated organism the identification of whose presence gave rise to that obligation; and
- (b) if he makes an oral report, send to the inspector to whom he made it, as soon as is reasonably practical thereafter, written confirmation thereof.

(3) Nothing in paragraph (1) shall require an officer of the Department to make a report to any person.

(4) Where a designated organism has been deliberately introduced into an animal or bird in a research establishment and neither that animal or bird, nor any other animal or bird to which the organism might be transmitted, is to be sold or otherwise disposed of either for human consumption or for consumption by other animals or birds or in any other way which may create a risk to human health, the fact that the presence of the organism is identified in a sample taken from the animal or bird shall not give rise to any obligation to make a report under paragraph (1).

(5) In this Article "research establishment" means an establishment carrying out research into a designated organism.

(6) For the purposes of this Article each serotype of the genus salmonella shall be regarded as a separate organism and a person shall not be absolved from an obligation under paragraph (1) to make a report in respect of an animal or bird or its surroundings or any carcase, product or feeding stuff by reason only of the fact that a report in relation to another serotype of the genus salmonella, or to salmonella of an unidentified serotype, has already been made in respect of that animal, bird, carcase, product or feeding stuff or in respect of those surroundings.

Revocation

11. The Zoonoses Order (Northern Ireland) 1976(a) is revoked.

Sealed with the Official Seal of the Department of Agriculture on 10th July 1991.

(L.S.)

D. A. J. Hirrell

Assistant Secretary

**Provisions of the Diseases of Animals Order (Northern Ireland) 1981
applied in relation to designated organisms with a view to reducing the
risk to human health from these organisms**

<i>Provision</i>	<i>Description</i>
Article 2	Interpretation
Article 3	Expenditure for the Eradication of Diseases
Article 5(1) (except sub-paragraph (i))	Prevention or Checking of Disease
Article 6	Seizure and Destruction of Carcases etc.
Article 9	Power to obtain information for the purpose of Article 3
Article 12	General Provision as to Infected Places and Areas
Article 14	Orders relating to Infected Places and Areas
Article 15	Power to exclude strangers
Article 16	Slaughter of Diseased and Suspected Animals and Poultry
Article 17	Additional Officers and Expenses for the Purposes of Slaughter
Article 18	General Provisions relative to Slaughter and Compensation
Article 19	Regulation of Movement of Animals and Poultry, etc.
Article 24	Orders Prohibiting Import of Animals and Poultry, etc.
Article 29	Regulation of Ports, Aerodromes, Landing Places and Imported Animals, Poultry, etc.
Article 30	Orders Prohibiting Import of Poultry and Eggs
Article 31	Compensation not payable for animals temporarily quarantined in Northern Ireland
Article 32	Export of Animals and Poultry
Article 42	Functions of Constables
Article 46	General Powers of Inspectors
Article 50	Payment of Fees and Expenses
Article 51	Evidence and Service of Instruments
Article 52(1) to (5)	Offences and legal proceedings
Article 53	Offences in respect of Article 3
Article 54	Defences and Evidence
Article 55	Extension of Time for Bringing Summary Proceedings
Article 56	Venue
Article 57	Proceedings under Customs Acts for unlawful landing or Shipping

<i>Provision</i>	<i>Description</i>
Article 58	Persons to whom compensation may be paid and liabilities of persons other than owners
Article 59	Yearly return by the Department
Article 60(1)	General Power to make Orders
Article 61(3)	Publication etc. of Orders

Schedule 2 Pt. 1 para 11 and Pt. 2 para 13 Slaughter of Poultry

Schedule 3 Pt. 1 and 2 Matters about which provision may be made in an Order under Articles 24, 29, 30 and 31

Particulars required to be given in a written or oral report of the presence or suspected presence of a designated organism

1. The known or suspected identity of the organism.
2. The nature of the sample from which the designated organism was isolated.
3. The address of the premises at which the sample was taken and the name of the owner or person in charge of those premises (stating which).
4. The species and type of animal or bird from which the sample was taken (if appropriate).
5. The date on which the sample was examined.
6. The name and address of the person submitting the report.
7. In the case of a written report, the signature of the person submitting the report and the date.

EXPLANATORY NOTE

(This note is not part of the Order.)

Article 7 of the Diseases of Animals (Northern Ireland) Order 1981 ("the 1981 Order") empowers the Department, with a view to reducing the risk to human health from any organism carried in animals or poultry, to make an Order designating any organism which, in its opinion, constitutes such a risk and to apply any provision of the 1981 Order to that organism.

This Order, which revokes and re-enacts, with amendments, the provisions of the Zoonoses Order (Northern Ireland) 1976 ("the 1976 Order"), designates (as did the 1976 Order) organisms of the genus salmonella and the species *Chlamydia psitticia* and *Coxiella burnetti* for the purposes of Article 7 of the 1981 Order (Article 4(1)) and applies certain other provisions of that Order (including powers relating to the slaughter of poultry) to those organisms with a view to reducing any risk to human health from them (Article 4(2) and Schedule 1).

This Order enables an inspector to carry out such enquiries, examinations and tests and to take such numbers of birds or other samples as are necessary to ascertain whether a designated organism exists or has existed on premises (Article 5). It also provides for—

- (a) the declaration as an infected place of premises on which there is or has been animals, birds, feeding stuff etc. in which a designated organism is or was present and the imposition, by notice, of movement restrictions and isolation requirements (Article 6); and

- (b) the imposition, by notice, of requirements for the cleansing and disinfection of premises, clothing, vehicles and certain equipment in which a designated organism is known or suspected to have been present (Articles 7 and 8).

For the purposes of this Order the definitions of “animals” and “poultry” contained in the 1981 Order are, for the first time extended (Article 2).

The other main change of substance concerns the requirement for reporting the presence of designated organisms in samples taken from animals (Article 10 and Schedule 2). The requirement now only applies to—

- (a) the person in charge of the laboratory where the sample was examined;
or
(b) if this examination was carried out elsewhere than in a laboratory, the person who carried it out,

but does not apply to a person when he is an officer of the Department. These requirements are, however, extended to cover the presence of any designated organism in any animal.

Any person who without lawful authority or excuse, proof of which shall lie on him, contravenes any provisions of the Order shall be guilty of an offence against the 1981 Order. The penalty, on summary conviction, is a fine at level 5 on the standard scale (currently £2,000), or in the case of an offence committed with respect to more than 5 animals a fine at level 3 on the standard scale (currently £400) for each animal; or in the case of an offence committed in relation to carcasses or other inanimate things a fine at level 5 on the standard scale (currently £2,000) together with a further fine at level 3 on the standard scale (currently £400) in respect of every 508 kilogrammes in weight of the carcasses or other things after the first 508 kilogrammes.